

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 219, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, line 40, delete "six (6)" and insert "**twenty-five (25)**".
- 2 Page 2, delete lines 41 through 42.
- 3 Page 3, delete lines 1 through 5.
- 4 Page 3, line 6, delete "3. An" and insert "**2. (a) To the extent**
- 5 **possible, an**".
- 6 Page 3, line 6, delete "make reasonable efforts to".
- 7 Page 3, line 7, delete "room or other" and insert "**private**".
- 8 Page 3, line 7, delete "in close proximity".
- 9 Page 3, line 8, delete "to the work area,".
- 10 Page 3, line 8, delete "described in section 2 of this".
- 11 Page 3, line 9, delete "chapter".
- 12 Page 3, line 9, after "privacy" delete ". An" and insert "**during any**
- 13 **period away from the employee's assigned duties.**
- 14 **(b) To the extent possible, an**".
- 15 Page 3, line 10, delete "make reasonable efforts to" and insert ":
- 16 **(1)**".
- 17 Page 3, line 12, after "expressed" delete ". The employer is not
- 18 liable if the employer makes a" and insert "**; or**
- 19 **(2) allow the employee to provide the employee's own portable**
- 20 **cold storage device for keeping milk that has been expressed**

- 1           **until the end of the employee's work day."**
- 2           Page 3, delete line 13, begin a new paragraph and insert:
- 3           **"(c) Except in cases of willful misconduct, gross negligence, or**
- 4           **bad faith, an employer is not liable for any harm caused by or**
- 5           **arising from either of the following that occur on the employer's**
- 6           **premises:**
- 7                 **(1) The expressing of an employee's breast milk.**
- 8                 **(2) The storage of expressed milk."**
- 9           Page 3, after line 17, begin a new paragraph and insert:
- 10          "SECTION 6. IC 34-30-2-87.2 IS ADDED TO THE INDIANA
- 11          CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 12          [EFFECTIVE JULY 1, 2008]: **Sec. 87.2. IC 22-2-14-2(c) (Concerning**
- 13          **the expressing and storage of an employee's breast milk on an**
- 14          **employer's premises)."**
- 15          Re-number all SECTIONS consecutively.
- (Reference is to SB 219 as introduced.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 8, Nays 0.

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**Senator Kruse, Chairperson**